

ORIGINAL

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983****IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) Ivan Smith 485-27-066
 (Name of Plaintiff) (Inmate Number)
Salem County Corr. Facility, 125 Cemetery Rd.
Woodstown, N.J. 08098
 (Complete Address with zip code)

(2) _____
 (Name of Plaintiff) (Inmate Number)

 (Complete Address with zip code)

(Each named party must be listed, and all names
 must be printed or typed. Use additional sheets if needed)

vs.

(1) Kent A. Jordan
 (2) _____
 (3) _____
 (Names of Defendants)

(Each named party must be listed, and all names
 must be printed or typed. Use additional sheets if needed)

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

CIVIL COMPLAINT

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:

1. What steps did you take? I have written a letter motion to the court
2. What was the result? N/A

- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS (in order listed on the caption)

- (1) Name of first defendant: Kent A. Jordan

Employed as Dist. Court Judge at Dist. Court of Delaware

Mailing address with zip code: U.S. Ct. Sec., 844 King Street
Lock box 10, Wilmington, DE 19801

- (2) Name of second defendant: _____

Employed as _____ at _____

Mailing address with zip code: _____

- (3) Name of third defendant: _____

Employed as _____ at _____

Mailing address with zip code: _____

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. On 3-15-06, during reconsideration motion to suppress hearing, in the District of Delaware, I informed Judge Kent A. Jordan, that my attorney had discussed my case with U.S. Attorney, in the presence of another detainee, and as a result I felt unsafe with my representation. After this complaint and request for removal of counsel; Judge Jordan advised that it would be best for me to continue with same counsel, and also warned

2. that I was making a mistake by choosing not to proceed with same counsel. However, due to the fact that my attorney already violated privacy of my case, I insisted that I felt uncomfortable with my representation and requested another attorney to defend and not damage my case. As a result Judge Jordan threatened, if I didn't get along with another attorney I would have to continue pro se. This threat is prejudice to me and my case to the advantage of the prosecutor, and I cannot have a fair trial before Judge Jordan with the implied fear that if I inform the court of my attorney's deficient, defective and ineffectiveness, that I will have to pay by being forced to proceed without any assistance of counsel.

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I merely request for a different judge to preside over my life and liberty with lawful fairness in the name of justice and constitutional integrity.

2. _____

3. _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 7 day of April, 2006.



(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

 4/7/06
SHERRY L. KENT
Notary Public of New Jersey
My Commission Expires June 27, 2010

Ivan Smith A-1
SALEM COUNTY CORRECTIONAL FACILITY
125 CEMETERY RD.
WOODSTOWN, NJ 08098



Att: Clerk:
U.S. District Court
Lock box 18
844 N. King Street
Wilmington, DE 19801

